

REMARKS

Claims 4-7 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-5, 8, 9 and 12 of copending application no. 12/045,326 (US 2008/0173329).

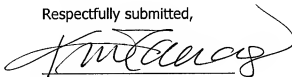
Applicants respectfully traverse the rejection.

Application No. 12/045,326 is a divisional of Application No. 11/000,007 (filed December 12, 2004) filed on March 10, 2008. MPEP 804 states: If a "provisional" nonstatutory obviousness-type double patenting (ODP) rejection is the only rejection remaining in the earlier filed of the two pending applications, while the later-filed application is rejectable on other grounds, the examiner should withdraw that rejection and permit the earlier-filed application to issue as a patent without a terminal disclaimer." The present application is the earlier filed of the two pending applications and the only rejection is the ODP rejection.

Thus, the Examiner should withdraw the rejection and allow the application to issue.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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